IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 4TH JANUARY 2007 / 14TH AGRAHAYANA,1928

Bail Appl..No. 5 of 2007()

Crime No.204/06 of Surathkal Police Station,Karnataka State

: PETITIONERS/ACCUSED.

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1. DR.ABDUL RASHEED E.M.,
S/O.ALAVIKUTTY, MALABAR DENTAL CARE,
KONDOTTY, MALAPPURAM DISTRICT.

2. SAKEENA, W/O.MUJEEB,
CHOLAKKAL HOUSE, KANJIRAPARAMBU,
KONDOTTY, MALAPPURAM DISTRICT.

3. ALAVIKUTTY HAJI, S/O.MOMMEDKUTTY,
CHOLAKKAL HOUSE, KANJIRAPARAMBU,
KONDOTTY, MALAPPURAM DISTRICT.

4. SULAIKHA, W/O.ALAVIKUTTY HAJI,
CHOLAKKAL HOUSE, KANJIRAPARAMBU,
KONDOTTY, MALAPPURAM DISTRICT.

5. AHAMMEDKUTTY, W/O.KOYAMMU,
MELEDATH HOUSE, THAVANOOR,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE.

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1. THE STATE OF KERALA , REPRESENTED BY
THE SUB INSPECTOR OF POLICE, KONDOTTY POLICE
STATION-THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-31.

2. THE STATION HOUSE OFFICER,
SURATHKAL POLICE STATION,
DAKSHINA KANNADA DISTRICT, KARNATAKA STATE.

BY PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.5 of 2007

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Dated this the 4th day of January, 2007.

O R D E R

Petitioners, who are accused Nos. 1 to 5 in Crime No.204 of 2006 of Surathkal Police Station, Karnataka State for an offence punishable under Section 498 A read with Section 34 I.P.C., seek anticipatory bail. The petitioners are the husband, his brother's wife, his parents and his uncle. The case has originated on a private complaint filed by Dr.Sajna, wife of the first petitioner.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

2. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. Petitioners shall not commit any offence while on bail.

4. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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